

IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TENNESSEE  
AT KNOXVILLE

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	
	)	
v.	)	
	)	No. 3:23-CR-10-KAC-JEM
JAMEEL JOHNSON,	)	
	)	
Defendant.	)	

**MEMORANDUM AND ORDER**

All pretrial motions in this case have been referred to the undersigned pursuant to 28 U.S.C. § 636(b) for disposition or recommendation as appropriate. This case is before the Court on Defendant Jameel Johnson's Motion to Continue Trial and Related Dates [Doc. 16], filed on March 10, 2023.

In his motion, Defendant asks the Court to continue the April 11, 2023 trial date and associated deadlines. Counsel for Defendant states that, despite reasonable diligence on his part, Defendant's case is not yet ready for trial. He needs additional time to review discovery—which includes recordings—confer with Defendant, and fully prepare for trial. In addition, counsel states that granting the requested continuance will permit the parties an opportunity to explore a full resolution of this case. Counsel avers that granting the requested continuance will serve the ends of justice in that the need for additional time to properly prepare the case outweighs the best interests of the public and Defendant in a speedy trial. He informs the Court that Defendant Johnson, who is detained pending trial, understands the period of time between the filing of the motion and a rescheduled trial date would be fully excludable for speedy trial purposes. Finally, counsel relates that counsel for the Government has no objection to the requested continuance.

Based upon the information provided by Defendant in his motion and because the Government

does not oppose the continuance, the Court finds the ends of justice served by granting a continuance outweigh the interests of Defendant and the public in a speedy trial. *See* 18 U.S.C. § 3161(h)(7)(A). In making this determination, the Court has considered the factors set forth in 18 U.S.C. § 3161(h)(7)(B). Specifically, the Court concludes that not granting a continuance would both result in a miscarriage of justice and deny counsel for Defendant the reasonable time necessary for effective preparation, taking into account the exercise of due diligence. *See id.* § 3161(h)(7)(B)(i)–(iv). Counsel needs additional time to review discovery, confer with his client, and prepare for trial—tasks made more difficult by Defendant’s pretrial detention. Counsel and the Government also need additional time to confer regarding a potential resolution of this case and, if plea negotiations are unfruitful, prepare for trial. All of this cannot be done by the April 11, 2023 trial date.

The Court therefore **GRANTS** Defendant’s Motion to Continue Trial and Related Dates [**Doc. 16**]. The trial of this case is reset to **July 18, 2023**. A new, comprehensive, trial schedule is included below. Because the Court has found that the ends of justice served by granting a continuance outweigh the interests of Defendant and the public in a speedy trial, all of the time between the filing of the motion on March 10, 2023, and the new trial date of July 18, 2023, is fully excludable time under the Speedy Trial Act. *See* 18 U.S.C. § 3161(h)(1)(D), -(h)(7)(A)–(B).

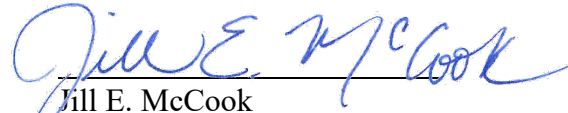
Accordingly, it is **ORDERED** as follows:

- (1) Defendant Jameel Johnson’s Motion to Continue Trial and Related Dates [**Doc. 16**] is **GRANTED**;
- (2) the trial of this matter is reset to commence on **July 18, 2023, at 9:00 a.m.**, before the Honorable Katherine A. Crytzer, United States District Judge;
- (3) all time between the filing of the motion on **March 10, 2023**, and the new trial date of **July 18, 2023**, is fully excludable time under the Speedy Trial Act for the reasons set forth herein;
- (4) the deadline for filing pretrial motions is extended to **April 10, 2023**. Responses to motions are due on or before **April 24, 2023**;

- (5) the deadline for filing a plea agreement in the record and providing reciprocal discovery is **June 16, 2023**;
- (6) the deadline for filing motions *in limine* is **June 26, 2023**;
- (7) the parties are to appear before the undersigned for a final pretrial conference on **June 27, 2023, at 10:30 a.m.**; and
- (8) requests for special jury instructions with appropriate citations to authority pursuant to Local Rule 7.4 shall be filed on or before **June 30, 2023**.

**IT IS SO ORDERED.**

ENTER:

  
Jill E. McCook  
United States Magistrate Judge